

REMARKS

Applicant expresses appreciation to the Examiner for the recent in-person interview granted to Applicants' representative and conducted on September 19, 2006. At the interview proposed amendments to claims 25 and 42 were proposed and discussed in relation to the applied prior art of record (Multer et al.). Claims 25 and 42 have been amended consistent with the amendments discussed at the interview, and new claims 43-45 have been presented as proposed (corresponding to prior claims 26, 28 and 31).

In the Office Action, claims 25-35 and 42 were rejected under 35 U.S.C. § 102(e) as being unpatentable in view of Multer et al. (U.S. Patent No. 7,007,041). Claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Multer et al. (U.S. Patent No. 7,007,041) in view of Huang et al. (U.S. Patent No. 6,393,434).¹ In addition, claims 25, 26 and 42 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention, and claims 26, 28 and 31 were objected to for preceding claim 42.²

By this paper, claims 25, 27, 29, 32-35 and 42 have been amended, claims 26, 28 and 31 cancelled, and claims 43-45 added.³ Accordingly, following this paper, claims 25, 27, 29, 30, 32-35 and 42-45 remain pending, of which claims 25 and 42 are the only independent claims at issue.

As discussed during the interview, Applicant's invention generally relates to synchronizing data on a plurality of computing systems, even if the computing systems are of different platforms that store data in different manners. For example, as recited in claim 25, a method for mapping a physical layout of items in a data store of one platform to a logical view in a synchronization layer of the platform includes an act of compiling, at a computer system of a particular platform, a logical schema into a catalog that can be used to define a logical view that is similar to the logical views of each platform, and that includes a logical grouping of data

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should the need arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² In view of the above amendments, Applicant respectfully submits that the rejection under 35 U.S.C. § 112, second paragraph, and the objection to the claim numbering are now moot.

³ Support for the claim amendments can be found throughout the original application, including at least the teachings in paragraphs [0040]-[0045], and Figure 3B of the originally filed application.

items. The data items may be stored, for example, by using a change unit defining the granularity of a group of data items such that if any part of the group of data items is modified, the entire group of data items will be modified. A consistency unit may also be defined that includes the minimum group of data items that must be reported during synchronization if any item of the group is changed. A catalog can also be used to map items from a physical layout to the logical view. Further, and as clarified in the above amendment, the method may include an act of storing a synchronization tracker in the logical view table of the synchronization layer for each platform, and which maintains a version change enumeration corresponding to a synchronized version of a data item in the logical view, and further including a source identifier identifying a particular replica upon which the synchronized version of the data item is based.

Independent claim 42 recites a computer program product which stores instructions for performing a method generally corresponding to the method of claim 25.

As further discussed during the interview, while Multer generally describes a synchronization system for synchronizing data of a variety of different applications or systems, it fails to describe a method or computer program product as claimed in the present application. For example, among other things, Multer fails to disclose or suggest a method or system in which a synchronization tracker is stored that includes a version change enumeration and a source identifier identifying a particular replica upon which the synchronized version of the data is based, as claimed in combination with the other recited claim elements.

In particular, and as discussed in the interview, Multer discloses a system in which objects are translated into a universal data format which can then be interpreted and used to synchronize data at another system. (Abstract; Col. 12, ll. 36-46). Using the universal data format, a delta module will determine what information has been changed, and generate a difference set which is forwarded to other systems for updating their corresponding data. (Col. 12, ll. 36-46). Upon changing the information, a versioning module may apply a version number per object in the data packet. (Col. 12, ll. 63-65). Each object may also be assigned a UUID to allow each object to be tracked individually. (Col. 12, ln. 65 to Col. 13, ln. 10). When a data packet is received, the local computers can then check the data packet against prior versions to determine which have been changed. (Col. 13, ll. 2-6). Changes to such data packets are then applied to the local data and the versioning module can then increment the local version of the data within the system. (Col. 13, ll. 1-10; Col. 35, ll. 20-33).

Accordingly, while Multer teaches incrementing local versions, Applicant respectfully submits that it fails to disclose or suggest the present invention as recited in the claims above. For instance, among other things, Multer fails to teach storing a source identifier which identifies the replica upon which the now synchronized version of the data item is based, as recited in combination with the other claim elements. In fact, Multer teaches only that the version is incremented and that a UUID is assigned on a per object basis, but fails to disclose or suggest that any identifier is stored which identifies a particular *replica* which initiated or was otherwise used to create the synchronized version of the data item. In fact, Multer appears to teach away from such a feature as it notes that applications can already include mechanisms for tracking their data, and that versions are checked to allow the device engine to be synchronized *independently* of changes made by another system device. (Col. 12, ll. 52-58; Col. 13, ll. 2-10).

Thus, while Multer appears to disclose that synchronization can be performed by, in part, incrementing version numbers, Multer fails to teach or suggest each and every element of the recited claims, including at least that synchronization tracker include a source identifier indicating the particular replica from which changes to the synchronized version of the data were obtained. For at least the foregoing reasons, as well as the others discussed during the interview, Applicant submits that the rejections and assertions of record with respect to the independent and dependent claims are now moot, and therefore need not be addressed individually.⁴

For at least the foregoing reasons, Applicant submits that the pending claims are neither anticipated nor made obvious by the art of record. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

⁴ It will be appreciated that although Applicant is not addressing each claim individually, this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any Official Notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent the Office Action relies on any Official Notice, implicitly or explicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially notices, as well as the required motivation or suggestion to combine references with the other art of record.

Dated this 6th day of November, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Nydegger', written in a cursive style.

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